



PIPER RUDNICK LLP
1200 NINETEENTH STREET, NW
WASHINGTON, DC 20036-2412
TELEPHONE: 202-861-3900
FACSIMILE: 202-223-2085

1631
\$
RECEIVED
MAY 30 2003
TECH CENTER 1600/2900

DOCKET NO.: 7732-020-27 DIV

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 09/665,077
Applicant(s): Michael CLIMO et al.
Filing Date: September 19, 2000
For: COMPOSITIONS AND METHODS FOR TREATMENT OF
STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING FORMATION
OF ANTIBIOTIC-RESISTANT STRAINS
Group Art Unit: 1631
Examiner: Michael L. Borin

SIR:

Attached hereto for filing are the following papers:

**FEE TRANSMITTAL
AMENDMENT, INCLUDING ATTACHMENT (1)**

Our check in the amount of \$ 108.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

Steven B. Kelber
Attorney of Record
Registration No.: 30,073

Christopher W. Raimund
Registration No.: 47,258



FEE TRANSMITTAL

Docket No. 7732-020-27 DIV
Serial No. 09/665,077
Filing Date September 19, 2000
Inventor(s) Michael CLIMO et al.
Group Art Unit 1631

TOTAL AMOUNT OF PAYMENT

\$108.00

Examiner

Michael L. Borin

FEE CALCULATION (continued)

1. ☒ Applicant claims small entity status.

☒ Charge any UNDERPAYMENT or credit any OVERPAYMENT in the indicated fees to Deposit Account No. 50-1442.

☐ Charge the indicated fees to Deposit Account No. 50-1442.

3. ADDITIONAL FEES

Large Entity

Small Entity

Fee Description

2. ☒ Check enclosed.

Fee Code

Fee (\$)

Fee Code

Fee (\$)

Fee Paid

FEE CALCULATION

1. BASIC FILING FEE

1051

130

2051

65

Surcharge-late filing fee or oath

1052

50

2052

25

Surcharge-late provisional filing fee or cover sheet

Large Entity

Small Entity

Fee Description

1053

130

1053

130

Non-English specification

Fee Code

Fee (\$)

Fee Code

Fee (\$)

Fee Paid

1812

2520

1812

2520

Ex parte reexam. fee

1001

750

2001

375

Utility filing fee

1251

110

2251

55

1-mo. ext. of time

1002

330

2002

165

Design filing fee

1252

410

2252

205

2-mo. ext. of time

1003

520

2003

260

Plant filing fee

1253

930

2253

465

3-mo. ext. of time

1004

750

2004

375

Reissue filing fee

1254

1450

2254

725

4-mo. ext. of time

1005

160

2005

80

Provisional filing fee

1255

1970

2255

985

5-mo. ext. of time

SUBTOTAL (1)

\$0.00

1401

320

2401

160

Notice of Appeal

2. EXTRA CLAIM FEES

1402

320

2402

160

Appeal Brief

tot. claims

32

-

20*

=

12

x

\$9

=

108

1403

280

2403

140

Request for Oral Hearing

ind. claims

2

-

3*

=

0

x

\$42

=

0

1501

1300

2501

650

Utility/Reissue Issue Fee

☐

Multiple Dependent Claims

\$140

=

0

1502

470

2502

235

Design Issue Fee

Large Entity

Small Entity

Fee Description

1503

630

2503

315

Plant Issue Fee

Fee Code

Fee (\$)

Fee Code

Fee (\$)

1460

130

1460

130

Petitions to the Commissioner

1202

18

2202

9

Claims in excess of 20

1806

180

1806

180

IDS Submission

1201

84

2201

42

Independent claims in excess of 3

8021

40

8021

40

Assignment

1203

280

2203

140

Multiple dependent claim, if not paid

1801

750

2801

375

For Filing RCE

1204

84

2204

42

*Reissue independent claims over original patent

1802

900

1802

900

Expedited Design

1205

18

2205

9

*Reissue claims in excess of 20 and over original patent

OTHER (indicate below):

SUBTOTAL (2)

\$108.00

* or number previously paid, if greater; For Reissues, see above

SUBTOTAL (3)

\$0.00

Name

Steven B. Kelber

Registration No.

30,073

Signature

Date

May 27, 2003

Telephone

202-861-3900

Name

Christopher W. Raimund

Registration No.

47,258

DOCKET NO. 7732-020-27 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Michael CLIMO, et al.

ART UNIT: 1631

SERIAL NO.: 09/665,077

EXAMINER: Michael L. Borin

FILING DATE: September 19, 2000

TITLE: COMPOSITIONS AND METHODS FOR TREATMENT OF
STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING FORMATION
OF ANTIBIOTIC-RESISTANT STRAINS

AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the outstanding Office Action dated February 24, 2003, entry of the
following amendments is respectfully requested.

IN THE CLAIMS

Please cancel Claims 6, 7 and 18-24.

Please amend the claims as follows:

3. (Twice Amended) The method of Claim 29 [23], wherein [said] administration is
achieved through any one or more of intravenous (IV), intramuscular (IM), subcutaneous (SC),
intraperitoneal (IP), intrathecal or topical administration.

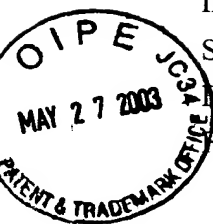
4. (Amended) The method of Claim 29 [3], wherein [said] administration is
subcutaneous [SC], intraperitoneal [IP], intrathecal or topical.

5. (Amended) The method of Claim 29 [3], wherein [said] administration is either
intravenous [IV] or intramuscular [IM].

05/28/2003 SZEWDIE1 00000021 09665077

01 FC:2202

108.00 0P



RECEIVED
MAY 30 2003
TECH CENTER 1600/2900
#13/D
6-5-03
(NRE)

Do not
cancel
06/16/03
MB